

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE AMERICAN EXPRESS ANTISTEERING
RULES ANTITRUST LITIGATION

PARTIAL JUDGMENT
11-MD-02221 (NGG)(RER)

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An Order of Honorable Nicholas G. Garaufis, United States District Judge, having been filed on May 13, 2020, granting in part and denying in part Plaintiffs' (DE# 901) motion for entry of partial final judgment and certification of interlocutory appeal; granting Plaintiffs' motion insofar as it requests that the court enter an order of partial final judgment pursuant to Federal Rule of Civil Procedure 54(b) as to the claims brought by the Non-Amex Class, which this court dismissed in its (DE# 895) Memorandum and Order of January 15, 2020; denying as moot Plaintiffs' motion for certification of interlocutory appeal; it is

ORDERED and ADJUDGED that Plaintiffs' (DE# 901) motion for entry of partial final judgment and certification of interlocutory appeal is granted in part and denied in part; that Plaintiffs' motion is granted insofar as it requests that the court enter an order of partial final judgment pursuant to Federal Rule of Civil Procedure 54(b) as to the claims brought by the Non-Amex Class, which this court dismissed in its (DE#895) Memorandum and Order of January 15, 2020; that Plaintiffs' motion for certification of interlocutory appeal is denied as moot; that the court agrees that its (DE#895) January 15, 2020 Memorandum and Order granting Amex's motion to compel arbitration of the Amex Class's claims did not address, in any way, the ability of an arbitrator to determine the appropriateness of a market-wide injunction; and that to the extent that Plaintiffs' motion seeks further clarification, that motion is denied.

Dated: Brooklyn, NY

Douglas C. Palmer

May 14, 2020

Clerk of Court

By: /s/Jalitza Poveda
Deputy Clerk